

made, executed, and delivered by said company to the said board of commissioners for the use and benefit of the said county, giving and granting the free and uninterrupted use of the road or highway owned by it within said county to all the citizens of the said Avery County, for all purposes of travel and traffic, for the full term of its said lease, and subject to the rules and regulations of said company governing travel and traffic on said road and highway. Said contract, lease, or writing shall bind said company, its successors and assigns, and said company shall be bound to keep and maintain said road and highway in good travel condition each entire year, and to keep the highway surfaced with sand-clay, crushed rock, topsoil, or other top dressing, maintaining the said road without cost to the said county.

Obligation of contract.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 6th day of March, A. D. 1913.

CHAPTER 463.

AN ACT TO REVISE AND CONSOLIDATE THE LAWS RELATING TO THE PUBLIC ROADS OF DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Durham County, in order to provide for the proper construction, improvement, and maintenance of the public roads of said county, at their regular meeting in June of each and every year shall, and it is hereby made their duty to, levy a special tax on all property subject to taxation under the State law in said county of not less than five (5) cents nor greater than twenty-five (25) cents on the one hundred dollars worth of property, said taxes to be collected as all other taxes are, to be kept separate on the tax books of the county, to be set aside as a special road fund to be used in the construction, maintenance, and improvement of the public roads of the county, for the purchase of such material, implements, teams, wagons, camp outfits, quarters or stockades for the use of and safe keeping of the convict force as may be found necessary in the proper carrying out of this work, and for the employment of such additional labor as may be deemed necessary: *Provided, however,* that the moneys raised under this section shall, as far as possible, be used for permanent improvements.

Special tax for roads.

Limit of rate.

Taxes kept separate.

Use of fund.

Proviso: permanent improvements.

SEC. 2. That there shall hereafter be elected by the board of county commissioners at their regular meeting in January of each and every year a superintendent of roads, who shall be paid such

Election of superintendent.

Compensation and term.